

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_, 2003:

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Present

Vote

James S. Burgett, Chairman  
Thomas G. Shepperd, Jr., Vice Chairman  
Walter C. Zaremba  
Sheila S. Noll  
Donald E. Wiggins

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On motion of \_\_\_\_\_, which carried \_\_\_\_, the following resolution was adopted:

A RESOLUTION DECLARING THE NECESSITY TO ENTER UPON  
AND TAKE CERTAIN EASEMENTS IN CONNECTION WITH THE  
BACK CREEK SEWER PROJECT

WHEREAS, it is necessary to obtain certain easements in connection with the Back Creek sewer project; and

WHEREAS, for various reasons, the County is not able to obtain from the owners of such property clear title to the interests in real estate necessary, or no agreement has been reached as to the consideration to be paid for the said interests; and

WHEREAS, plats of the interests in real property to be acquired have been prepared by Precision Measurements, Inc., and appraisals of such interests have been prepared; and

WHEREAS, § 15.2-1905 C, Code of Virginia, authorizes the Board to adopt a resolution following a public hearing on the matter declaring its intent to enter and take specified properties, rights-of-way or easements for such purposes as constructing, installing, expanding, maintaining, or repairing pipelines, meter boxes, pumps, or any other appurtenances to a sewerage disposal and water system.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this \_\_\_\_ day of \_\_\_\_, 2003, that the Board finds that it is necessary for the

protection and preservation of the public health, safety and welfare, and for the timely completion of the Back Creek sewer project, for the County, its officers, employees and agents to enter upon and take the interests in real property described below prior to the initiation of condemnation proceedings.

BE IT FURTHER RESOLVED that the interests to be taken, and the compensation and damages, if any, offered by the County for each are the following, which interests are more particularly described on the plats attached to the Report of the County Attorney dated November 17, 2003, and incorporated herein by this reference:

Tax Map No. 25-208

A permanent utility easement as shown on a plat entitled "Plat of Easement Acquisition From: Margaret Barber, To: County of York, Virginia, Project: Back Creek Road Sanitary Sewer Improvements," dated July 24, 2003, prepared by Precision Measurements, Inc., and designated as "Permanent Utility Easement Hereby Conveyed to York County, 206 sq. ft." Value offered to Owner: \$50.00.

Tax Map No. 25-189

Permanent utility easements and a temporary construction easement as shown on a plat entitled "Plat of Easement Acquisition From: Margaret Barber, et als, To: County of York, Virginia, Project: Back Creek Road Sanitary Sewer Improvements," dated August 1, 2003, prepared by Precision Measurements, Inc., and designated as "Permanent Utility Easement Hereby Conveyed to York County, 217 sq. ft.," a "Permanent Utility Easement Hereby Conveyed to York County, 2,390 sq. ft.," and a "Temporary Construction Easement Hereby Conveyed to York County, 2,394 sq. ft." Value offered to Owner: \$1,234.00.

Tax Map No. 25-216

A permanent utility easement as shown on a plat entitled "Plat of Easement Acquisition From: Ronald L. Byrd, To: County of York, Virginia, Project: Back Creek Road Sanitary Sewer Improvements," dated May 23, 2003, prepared by Precision Measurements, Inc., and designated as "Permanent Utility Easement Hereby Conveyed to York County, 208 sq. ft." Value offered to Owner: \$101.00.

Tax Map No. 25-185B

A permanent utility easement and a temporary con-

struction easement as shown on a plat entitled "Plat of Easement Acquisition From: Diane Teel, et vir, To: County of York, Virginia, Project: Back Creek Road Sanitary Sewer Improvements," dated August 8, 2003, prepared by Precision Measurements, Inc., and designated as a "Permanent Utility Easement Hereby Conveyed to York County, 1,079 sq. ft.," and a "Temporary Construction Easement Hereby Conveyed to York County, 1,150 sq. ft." Value offered to Owner: \$4,976.00.

Tax Map No. 25-180

A permanent utility easement as shown on a plat entitled "Plat of Easement Acquisition From: Jessie G. Wood Estate, To: County of York, Virginia, Project: Back Creek Road Sanitary Sewer Improvements," dated May 23, 2003, prepared by Precision Measurements, Inc., and designated as a "Permanent Utility Easement Hereby Conveyed to York County, 203 sq. ft." Value offered to Owner: \$165.00.

Tax Map No. 25-167

A permanent utility easement as shown on a plat entitled "Plat of Easement Acquisition From: Mary S. Sherwood, To: County of York, Virginia, Project: Back Creek Road Sanitary Sewer Improvements," dated June 16, 2003, prepared by Precision Measurements, Inc., and designated as a "Permanent Utility Easement Hereby Conveyed to York County, 400 sq. ft." Value offered to Owner: \$536.00.

Tax Map No. 25-173A

A permanent utility easement as shown on a plat entitled "Plat of Easement Acquisition From: Kent A. Stevens, To: County of York, Virginia, Project: Back Creek Road Sanitary Sewer Improvements," dated October 1, 2003, prepared by Precision Measurements, Inc., and designated as a "Permanent Utility Easement Hereby Conveyed to York County, 200 sq. ft." Value offered to Owner: \$573.00.

Tax Map No. 25-157A  
Tax Map No. 25-158

A permanent utility easement as shown on a plat entitled "Plat of Easement Acquisition From: Tomi Rachelle McNamara, To: County of York, Virginia, Project: Back Creek Road Sanitary Sewer Improvements," dated August 5, 2003, prepared by Precision Measurements, Inc., and designated as a "Permanent Utility Easement Hereby Conveyed to York County, 78 sq. ft.," and a "Permanent Utility Easement Hereby Conveyed to York County, 150 sq. ft." Value offered to Owner: \$423.00.

Tax Map No. 25-181

A permanent utility easement as shown on a plat entitled "Plat of Easement Acquisition From: Shirley F. Lemonds & Linda F. Ryan, To: County of York, Virginia, Project: Back Creek Road Sanitary Sewer Improvements," dated May 29, 2003, prepared by Precision Measurements, Inc., and designated as a "Permanent Utility Easement Hereby Conveyed to York County, 200 sq. ft." Value offered to Owner: \$250.00.

Tax Map No. 25-182

Permanent utility easements and temporary construction easements as shown on a plat entitled "Plat of Easement Acquisition From: Shirley F. Lemonds & Linda F. Ryan, To: County of York, Virginia, Project: Back Creek Road Sanitary Sewer Improvements," dated August 1, 2003, prepared by Precision Measurements, Inc., and designated as a "Permanent Utility Easement Hereby Conveyed to York County, 122 sq. ft.," a "Permanent Utility Easement Hereby Conveyed to York County, 199 sq. ft.," a "Temporary Construction Easement Hereby Conveyed to York County, 2,431 sq. ft.," a "Temporary Construction Easement Hereby Conveyed to York County, 496 sq. ft.," and a "Temporary Construction Easement Hereby Conveyed to York County, 1,148 sq. ft." Value offered to Owner: \$437.00.

Tax Map No. 25-184

A permanent utility easement and two temporary construction easements as shown on a plat entitled "Plat of Easement Acquisition From: Ernest D. Lemonds Estate, To: County of York, Virginia, Project: Back Creek Road Sanitary Sewer Improve-

ments," dated August 8, 2003, prepared by Precision Measurements, Inc., and designated as a "Permanent Utility Easement Hereby Conveyed to York County, 673 sq. ft.," a "Temporary Construction Easement Hereby Conveyed to York County, 313 sq. ft., a "Temporary Construction Easement Hereby Conveyed to York County, 42 sq. ft." Value offered to Owner: \$1,046.00.

Tax Map No. 25-185C

A permanent utility easement and a temporary construction easement as shown on a plat entitled "Plat of Easement Acquisition From: Shirley F. Lemonds & Linda F. Ryan, To: County of York, Virginia, Project: Back Creek Road Sanitary Sewer Improvements," dated August 8, 2003, prepared by Precision Measurements, Inc., and designated as a "Permanent Utility Easement Hereby Conveyed to York County, 1,192 sq. ft.," and a "Temporary Construction Easement Hereby Conveyed to York County, 597 sq. ft." Value offered to Owner: \$125.00.

Tax Map No. 25-178

A permanent utility easement as shown on a plat entitled "Plat of Easement Acquisition From: William D. Robinson, et ux, To: County of York, Virginia, Project: Back Creek Road Sanitary Sewer Improvements," dated May 29, 2003, prepared by Precision Measurements, Inc., and designated as a "Permanent Utility Easement Hereby Conveyed to York County, 311 sq. ft." Value offered to Owner: \$103.00.

Tax Map No. 25-177

A permanent utility easement as shown on a plat entitled "Plat of Easement Acquisition From: Kenneth W. Rodney, et ux, To: County of York, Virginia, Project: Back Creek Road Sanitary Sewer Improvements," dated June 23, 2003, prepared by Precision Measurements, Inc., and designated as a "Permanent Utility Easement Hereby Conveyed to York County, 200 sq. ft." Value offered to Owner: \$95.00.

BE IT STILL FURTHER RESOLVED that the Chairman of the Board of Supervisors, the County Treasurer and the County Attorney are hereby authorized and directed, for and on behalf of the County, to execute certificates to be recorded in the Office of the Clerk of the Circuit Court for York County, certifying the amounts set

forth above as the fair value, and damages if any, of the interests to be taken, will be paid the owners in accordance with the provisions of State law and upon order of the Court.

BE IT STILL FURTHER RESOLVED that the County Attorney be, and he is hereby, authorized, if necessary and appropriate, at any time following the date of this Resolution, to institute condemnation proceedings in the name of the Board of Supervisors to acquire title to the interests in the property described above, including, if necessary, any other easements or restrictions that may affect the easements sought to be acquired, and to do all things necessary as a prerequisite thereto.